

ISMAIL J. RAMSEY (CABN 189820)  
United States Attorney

THOMAS A. COLTHURST (CABN 99493)  
Chief, Criminal Division

ANDREW PAULSON (CABN 267095)  
Assistant United States Attorney

1301 Clay Street  
Oakland, California 94612  
Telephone: (510) 637-3680  
FAX: (510) 637-3724  
andrew.paulson@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	NO. 23-CR-00110-YGR
	)	
Plaintiff,	)	STIPULATION TO CONTINUE AUGUST 3, 2023
	)	STATUS CONFERENCE TO OCTOBER 26, 2023
v.	)	AND TO EXCLUDE TIME UNDER THE SPEEDY
	)	TRIAL ACT AND <del>PROPOSED</del> ORDER
DARRELL WAYNE SMITH,	)	
	)	
Defendant.	)	

On June 15, 2023, the above-captioned was reassigned to the Honorable Yvonne Gonzalez Rogers. The case is currently set for a status conference on August 3, 2023, at 2:00 p.m. The government has made multiple discovery productions to the defense, which the defense is reviewing. The government intends to make additional discovery productions in the near future. As a result, counsel for the United States and counsel for the defendant jointly stipulate and request that the August 3, 2023 status conference be continued to October 26, 2023 at 2:00 p.m. The defendant currently resides in Florida, and therefore requests that the status conference be conducted via Zoom to avoid traveling to the Northern District of California.

The government and counsel for the defendant have agreed that time be excluded under the Speedy Trial Act so that defense counsel can continue to prepare. The government has produced

1 discovery and defense counsel needs time to review the discovery to adequately prepare Mr. Smith's  
2 case. For these reasons, the parties stipulate and agree that excluding time from August 3, 2023 to  
3 October 26, 2023 will allow for the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).  
4 The parties further stipulate and agree that the ends of justice served by excluding time from August 3,  
5 2023 to October 26, 2023 from computation under the Speedy Trial Act outweigh the best interests of  
6 the public and the defendant in a speedy trial. 18 U.S.C. §§ 3161(h)(7)(A), (B)(iv).

7 The undersigned Assistant United States Attorney certifies that he has obtained approval from  
8 counsel for the defendant to file this stipulation, request, and proposed order.

9  
10 IT IS SO STIPULATED.

11  
12 DATED: August 1, 2023

/s/ Andrew Paulson  
ANDREW PAULSON  
Assistant United States Attorney

13  
14  
15 DATED: August 1, 2023

/s/ Naomi Chung  
NAOMI CHUNG  
Attorney for the Defendant

**PROPOSED ORDER**

The status conference currently set for August 3, 2023 is hereby continued to October 26, 2023 at 2:00 p.m. The hearing will occur via Zoom. Based upon the representations of counsel and for good cause shown, the Court finds that failing to exclude the time from August 3, 2023 to October 26, 2023 would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from August 3, 2023 to October 26, 2023 from computation under the Speedy Trial Act outweighs the best interests of the public and the defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from August 3, 2023 to October 26, 2023 shall be excluded from computation under the Speedy Trial Act.

IT IS SO ORDERED.

DATED: August 2, 2023

  
THE HONORABLE YVONNE GONZALEZ ROGERS  
United States District Judge